



IN THE U.S. PATENT AND TRADEMARK OFFICE

Appn. No.: 10/771,804  
Applicants: Samson, et al.  
Filing Date: February 4, 2004  
Title: Method and apparatus for treating acute myocardial infarction with hypothermic perfusion  
Examiner: Patricia M. Bianco  
TC/A.U.: 3761  
Docket No.: CARDE.63292

Mailed on: November 6, 2006

**PROVISIONAL ELECTION**

Commissioner of Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement mailed July 5, 2006, applicants elect to prosecute the invention of Group I, apparatus claims 1-25. The invention of Group II, method claim 26, is temporarily withdrawn from prosecution.

Applicants further elect to prosecute species I, drawn to the catheter of FIG 10. Claims 1-6, 8-18 and 20-25 read on species I and the catheter of FIG 10. Claims 7 and 19 are temporarily withdrawn from prosecution.

Applicants reserve the right to submit the nonelected claims or other claims upon the allowance of a generic claim, providing that the submitted claims are made dependent on or otherwise include all of the limitations of an allowed claim. Currently, claims 1-6, 9-18 and 21-25 are generic to all species of the apparatus.

Very respectfully submitted,

James J. Leahy

Reg. No. 35,237



#### CERTIFICATE OF MAILING

I hereby certify that this document addressed to the Commissioner of Patents, PO Box 1450, Alexandria, VA 22313-1450, will be deposited with the U.S. Postal Service as first class mail with sufficient postage at Clayton, MO on November 6, 2006.

(Post Office)

(Date)

Signature

A handwritten signature in black ink, appearing to read "James J.", is written over a horizontal line. The line starts under the "Signature" label and ends under the date "November 6, 2006".